

REMARKS

Upon entry of the present amendment, claims 1, 3, 4 and 8-39 are pending in the above-referenced patent application and are currently under examination. Claims 1, 3, 4, 8, 10, 12 and 23 have been amended. Claims 2 and 5-7 have been newly canceled. Claims 33-39 have been added. Reconsideration of the application is respectfully requested.

Claim 1 has been amended to replace formula I with formula II of claim 7. Support for the amendments to the claim can be found in original claim 7, and throughout the specification.

Claims 3 and 4 have been amended to conform to the scope of ring E in amended claim 1.

Claims 8, 10 and 12 have been amended to depend from amended claim 1, rather than canceled claim 7.

Claim 23 has been amended to add the missing "R" in "-S(O₂)N²¹-" so that claim 23 now reads "-S(O₂)NR²¹-" Support for this amendment can be found in original claim 23 and throughout the specification.

New claims 33-39 recite various embodiments of the claims of the present invention. Support for new claims 33-39 can be found throughout the specification, such as at:

- Claim 33: paragraphs 105, 135 and 136
- Claims 34-36: paragraphs 105 and 136
- Claim 37: paragraph 136
- Claim 38: paragraphs 118, 119, 131 and 132
- Claim 39: structure 51A of scheme X on page 40

Applicants elect, with traverse, the invention of Group I, claims 1-28 and 32-39, drawn to compounds and pharmaceutical compositions of formula II wherein:

- Z¹ is -NR⁵-, Z² is =N- and Z³ is =CR^{7a}-, a 1,2,6-triaza-cyclopenta[b]naphthalene core,
- R¹ is a alkylene-N or an alkylene-O group, or a heteroalkyl group,
- R² is -X-phenyl or -X-pyridyl,
- L¹ and L² are bonds, or alkylene,
- X is a CH₂ or an SO₂, and
- R⁵ is an aryl.

Applicants' election is made with traverse, believing that the full scope of the invention could be searched and examined without undue burden on the Patent Office. Accordingly, Applicants submit that the requirement under 35 U.S.C. § 121 has been met.

CONCLUSION

In view of the foregoing, Applicants believe the pending claims in this Application are in condition for substantive review on the merits. Favorable consideration is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alex C", with a stylized flourish at the end.

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Attachments
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